

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:
LUIS A. COLON REYES
ANA I. ROLON SANCHEZ
Debtor(s)

* CASE NO.: 10-08867-BKT
*
*
* CHAPTER -12-
*

MOTION UNDER SECTION 1329 AND TO
AMEND ORDER UNDER RULE 9023

TO THE HONORABLE COURT:

COMES NOW DEBTOR through the undersigned attorney and to this Honorable Court respectfully states and prays as follows:

1. Debtor filed a voluntary petition under which a payment plan was confirmed.
2. Debtor is hereby requesting to be allowed to modify his confirmed payment plan to provide funds necessary to cure arrears with creditor Doral Bank.
3. Debtor request to be allowed to modify his confirmed payment plan to provide for funds necessary to comply with the disbursement schedule in the case.
4. With the modified payment plan unsecured creditors will still receive more than they would under a Chapter 7 Liquidation, since there is no liquidation value in this case.

WHEREFORE it is respectfully requested to this Honorable Court that the request for modification of the payment plan be accepted and that Debtors be allowed to continue making his payments as stated in the modified payment plan and the Order of Confirmation be altered in such fashion as to allow the same and any further relief as is just.

NOTICE IS HEREBY GIVEN TO PARTIES IN INTEREST THAT THEY HAVE TWENTYONE (21) DAYS TO OBJECT THE PROPOSED MODIFICATION OF THE CHAPTER 13 PLAN AND REQUEST A HEARING. ABSENT GOOD CAUSE UNTIMELY OBJECTIONS SHALL BE DENIED.

CERTIFICATE OF SERVICE: I hereby certify that the foregoing motion has been filed with the Clerk of the court using the CM/ECF system that will electronically notify parties in interest and to Chapter 13, Trustee Alejandro Oliveras, US Trustee Office. Non CM/ECF participants that are interested parties will be notified by regular US Postal Service.

In Cayey, Puerto Rico, this 20th day of December, 2011.

/s/Miriam A. Murphy Lightbourn
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United States Bankruptcy Court
District of Puerto RicoIN RE: Luis A. Colon Reyes
Ana I. Colon SanchezCase No. 10-08867

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED:

☒ PRE ☒ POST-CONFIRMATIONAMENDED PLAN DATED: 12/1/11
Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 200 x 12 = \$ 2,400
 \$ 260 x 12 = \$ 3,120
 \$ 400 x 20 = \$ 8,000
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____

TOTAL: \$ 13,520

Additional Payments:

\$ _____ to be paid as a LUMP SUM
 within _____ with proceeds to come from:

☐ Sale of Property identified as follows:☐ Other:

Periodic Payments to be made other than, and in addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 13,520

III. ATTORNEY'S FEES

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,674Signed: Luis A. Colon Reyes
DebtorAna I. Colon
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____

B. SECURED CLAIMS:

☒ Debtor represents no secured claims.☐ Creditors having secured claims will retain their liens and shall be paid as follows:1. ☒ Trustee pays secured ARREARS:

Cr. Nova Bank Cr. Island Finance Cr. Reliable
 # 3006396 # 40266801 # 612-157037
 \$ 3,864.06 / 1,398.16 \$ 821 \$ 1,176

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:5. ☐ Other:6. ☐ Debtor otherwise maintains regular payments directly to:

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: ☐ Paid 100% / ☐ Other:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)